

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RICHARD VINSON; TERESA
FARRIS; WARDELL BRAXTON;
GIOVANNI KINSEY; GUADELUPE
MONTEJANO; THOMAS
EDDINGTON; PAUL McVAY;
FRANK MURILLO; and all other
people who are similarly situated,

Plaintiffs,

vs.

FRANKLIN COUNTY, SHERIFF
RICHARD LATHIM and CAPTAIN
RICK LONG,

Defendants.

NO. 4:14-cv-05083-SAB

DECLARATION OF W. DALE
KAMERRER IN SUPPORT OF
DEFENDANTS' MOTION TO
REQUIRE PLAINTIFFS TO FILE A
SECOND AMENDED
COMPLAINT TO COMPLY WITH
FRCP RULE 8(a)(1)

PURSUANT TO 28 U.S.C. § 1746, W. Dale Kamerrer declares as follows:

1. I am competent to testify in all respects, and make this declaration from personal knowledge and information and belief.
2. I am an attorney of record for defendants in the above-entitled action.
3. The plaintiffs' First Amended Complaint was filed as a matter of right before the defendants answered that complaint.
4. On behalf of the defendants, I began preparing an Answer to the Complaint before the First Amended Complaint was filed. The First Amended Complaint added numerous specific, personalized factual allegations which have and will require the search of many records of the Franklin County Corrections

DECLARATION OF W. DALE KAMERRER IN SUPPORT
OF DEFENDANTS' MOTION TO REQUIRE PLAINTIFFS
TO FILE A SECOND AMENDED COMPLAINT TO
COMPLY WITH FRCP RULE 8(a)(1) - 1
Cause No.: 4:14-cv-05083-SAB

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Center (FCCC), as well as interviews of administrators and employees of the FCCC, in order to admit, deny, or deny on the basis of a lack of information and belief, its allegations. Many of the allegations concern matters of procedures made temporarily necessary by the fact that the facility was undergoing renovations during 2014 that affected the housing of inmates, particularly highly disruptive, assaultive, damaging, threatening and self-harming inmates like plaintiffs Vinson, Montejano and McVay, as well as inmates who threatened self-harm such as plaintiff Farris. Because the necessity of some of those procedures has changed with the substantial completion of the 2014 renovations of the facility, some of the named inmates have received different forms of treatment under the pre-renovation and post-renovation facilities. These changes complicate the meaning of many of the allegations of the First Amended Complaint and make answering those allegations more difficult and time-consuming by attorneys and FCCC staff.

5. Some of the named plaintiffs are no longer incarcerated in the FCCC or may not be incarcerated there in the near future. For example, plaintiff Thomas Eddington is no longer in the FCCC according to the jail's on-line roster as of September 10, 2014.

6. The detail and personalization of the allegations of the First Amended Complaint is not necessary for the plaintiffs to state a claim for relief, since the truth of well-pleaded claims is assumed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED at Tumwater, Washington, this 10th day of September, 2014.

W. Dale Kamerrer